



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

March 2, 2009

4SFD-ERRB

Mr. Mark Smith
Georgia Environmental Protection Division
Department of Natural Resources
205 Butler Street, Suite 1154 – East Tower
Atlanta, Georgia 30334

**Subject: Request for Identification of State ARARs
Albany VCC
Albany, Dougherty County, Georgia
CERCLIS ID: GAD981237043**

Dear Mr. Smith:

As the State has been informed, the Superfund removal program of the Environmental Protection Agency (EPA) is considering a removal action at the *VCC Albany site* (the Site) located in *Albany, Dougherty County, Georgia*. To perform this action, EPA will attempt to comply to the extent practicable with all Applicable or Relevant and Appropriate Requirements (ARARs) of State environmental and facility siting laws. This letter is a request that the State notify the EPA On-Scene Coordinator (OSC) of any State statutes or regulations that the State believes are potential ARARs to the removal site, and contains information on site conditions and proposed actions to assist you in identifying ARARs. I am the OSC for this Site.

EPA requests that a State official notify EPA of any potential State ARARs. The types of ARARs that will be considered fall into the following three categories: chemical, location, and action-specific requirements. Chemical-specific requirements are health, technology, or risk based numeric values that establish the acceptable amount or concentration of a chemical that may be found in, or discharged to, the ambient environment. Location-specific requirements are restrictions placed on the concentration of hazardous substances or the conduct of activities solely because they occur in special locations. For example, the requirement that hazardous waste storage facilities located within the 100-year flood plain must be designed, constructed, operated, and maintained to avoid washout is considered a location-specific requirement. Action-specific requirements are technology or activity based requirements or limitations on actions taken with respect to hazardous waste.

EPA is currently pursuing Potential Responsible Parties (PRP) at this time, however, may move forward as a fund lead removal action. EPA's proposed actions include the following: additional site characterization, if necessary, excavation of

contaminated soils which exceed EPA's RALs, treatment and/or off-site disposal of contaminated soil and debris, and site restoration. In order to adequately consider and comply with any ARARs specified by the *State of Georgia*, EPA would appreciate a timely response (within 7 days if possible) to this request so that the requirements may be considered for the removal action. Exact references or citations to the statutes or regulations, or copies of pertinent provisions of State requirements, will greatly facilitate our ability to evaluate these requirements as ARARs for the site.

EPA will examine these requirements and determine whether they are applicable or relevant and appropriate to the Site. Pursuant to 40 CFR 300.415(j), fund-financed removal actions shall, to the extent practicable considering the exigencies of the situation, attain ARARs under federal environmental or state environmental or facility siting laws. It is important to clarify, however, that some requirements identified by the State may be determined not to be ARARs, may be determined to be impracticable to meet, or may qualify for a waiver. Please call me at (404) 562-9058, if additional information on the Site is needed for the purpose of completing the ARARs review.

Thank you for your assistance on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Booth", with a stylized flourish at the end.

Jason A. Booth
On-Scene Coordinator
Emergency Response and Removal Branch